

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

CLIFTON B. HENNINGTON, #2069964	§	
VS.	§	CIVIL ACTION NO. 6:20cv302
KEITH GORSUCH, ET AL.	§	

**ORDER DENYING MOTIONS TO INTERVENE**

This action was referred to United States Magistrate Judge K. Nicole Mitchell, who issued a Report and Recommendation (Docket No. 55) concluding that motions to intervene filed by Jonathan Phillips (Docket No. 48), Gerald Bell (Docket No. 49), Emmett Banks (Docket No. 51), and Tyler Nankervis (Docket No. 52) should be denied.


This Court reviews the findings and conclusions of the Magistrate Judge *de novo* only if a party objects within fourteen days of service of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a *de novo* review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), *superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days). Here, proposed intervenors Phillips, Bell, Banks, and Nankervis did not file objections in the prescribed period. The Court therefore reviews the Magistrate Judge’s findings for clear error or abuse of discretion and reviews his legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918 (1989) (holding that, if no objections to a Magistrate Judge’s Report are filed, the standard of review is “clearly erroneous, abuse of discretion and contrary to law”).

Having reviewed the Magistrate Judge's Report and Recommendation, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. The Court therefore adopts the Report and Recommendation of the United States Magistrate Judge (Docket No. 55) as the findings of this Court. It is accordingly

**ORDERED** that the Report and Recommendation (Docket No. 55) is **ADOPTED**. It is further

**ORDERED** that the motions to intervene filed by Jonathan Phillips (Docket No. 48), Gerald Bell (Docket No. 49), Emmett Banks (Docket No. 51), and Tyler Nankervis (Docket No. 52) are **DENIED**.

So **ORDERED** and **SIGNED** this **30th** day of **November, 2020**.

  
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JEREMY D. KERNODLE  
UNITED STATES DISTRICT JUDGE